

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:18-CR-00452-FL

UNITED STATES OF AMERICA, :
: **JOINT MOTION TO RELEASE**
v. : **SEIZED ASSETS**
:
LEONID ISAAKOVICH TEYF :
:

Defendant Leonid Isaakovich Teyf (“Teyf”) and the United States of America, through their undersigned counsel, jointly move this Court for an order lifting the judicial restraint on certain funds currently held by Lank Ventures, LLC (“Lank”), a real estate development venture of which Teyf is both a creditor and 20 percent equity owner, to permit Mr. Teyf to pay taxes in arrears.

The funds at issue are derived from \$764,742.42 that was seized from BB&T Account No. XXXXXX4304 pursuant to a warrant issued in Case No. 5:18-MJ-2083-JG. On February 19, 2019, the Court entered an Order [DE-155] at the joint request of the United States and Lank to release the seized funds to Lank for use in the Wyndcrest real estate development project. Pursuant to Fed. R. Crim. P. 41(g) and the agreement of the parties, the Court’s Order also imposed certain conditions and restraints on the release of the property in order to protect access to the property and preserve it for later use in this proceeding. Specifically, all proceeds from the sale of properties (the “Wyndcrest Proceeds”) were to be placed into an escrow account; Lank was not to make any disbursements from the escrow account without obtaining the prior approval of the U.S. Attorney or Court Order; and any monies due and owing to

Teyf were to be held pending the conclusion of this case so as to be available for forfeiture either as a substitute for directly forfeitable property and/or any forfeiture money judgment.

On March 19, 2021, Teyf entered a plea of guilty to Counts 27, 31 and 44 of the Fourth Superseding Indictment pursuant to a written Plea Agreement with the United States [DE-621]. Pursuant to the terms of that Plea Agreement, Teyf agreed to the forfeiture of certain assets in the amount of \$5,900,241.72, while the United States agreed to release any remaining seized assets not identified for forfeiture following acceptance of Teyf's plea and entry of judgment. Neither the funds initially seized from the above-referenced BB&T account, nor any of the funds currently being held in the escrow account containing the Wyndcrest Proceeds, were identified in the Plea Agreement as being subject to forfeiture.

Additional assets of Mr. Teyf's not identified in the Plea Agreement as being subject to forfeiture are the following real properties: (1) New Lot 1, Hardwick Bend Subdivision, 7900 Hardwick Drive, Raleigh NC (formerly 7900 and 7902 Hardwick Drive Raleigh NC); (2) Lot 1, North Ridge County Club Property, 6510 New Market Drive, Raleigh NC; (3) 133 East Hargett Street, Raleigh NC; (4) 510 Glenwood Condominium, Unit 503, 510 Glenwood Avenue, Unit 503, Raleigh, NC (collectively the "Real Properties").

According to notices issued by the Wake County Tax Administration, on March 21, 2021, unpaid taxes were assessed against the Real Properties for the years 2019-2020, which together with penalties, interest, and costs now amount to approximately

\$152,875.62. Additionally, Mr. Teyf is required to pay a Special Assessment and related fees of approximately \$15,997.75 to 510 Glenwood Condominium Owners Association, Inc.

Therefore, the parties respectfully request that the Court lift the judicial restraint on funds currently held in escrow by Lank Ventures, LLC (“Lank”), so that Mr. Teyf may satisfy tax and other obligations to the Wake County Tax Administration and 510 Glenwood Condominium Owners Association, Inc., and avoid foreclosure of the Real Properties, accrual of further late charges, fees and costs and potential legal actions against those properties, while he remains in custody at the Albemarle District Jail.

A proposed Order is attached hereto.

Respectfully submitted this 25th day of May, 2021.

/s/ Robert S. Wolf
Robert S. Wolf

N.Y. Bar No. 1874247
MOSES & SINGER LLP
The Chrysler Building
405 Lexington Ave., 12 Fl.
New York, NY 10174-1299
Phone: (212) 554-7825
Fax: (212) 554-7700
rwolf@mosessinger.com

/s/ F. Hill Allen
F. Hill Allen
N.C. State Bar No. 18884
THARRINGTON SMITH, L.L.P.
P.O. Box 1151 Raleigh,
NC 27602
Phone: (919) 821-4711
Fax: (919) 829-1583

G. NORMAN ACKER, III
Acting United States Attorney

/s/ Barbara D. Kocher
Jason M. Kellhofer
Barbara D. Kocher
Matthew L. Fesak
Assistant U.S. Attorneys
150 Fayetteville St., Suite 2100
Raleigh, NC 27601
(919) 856-4530
E-mail: jason.kellhofer@usdoj.gov
OH State Bar # 0074736
E-mail: barb.kocher@usdoj.gov
NC Bar: 16360
E-mail: matthew.fesak@usdoj.gov
NC Bar: 35276

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of May, 2021, I electronically filed the foregoing **JOINT MOTION TO RELEASE SEIZED ASSETS** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ F. Hill Allen
F. Hill Allen
THARRINGTON SMITH, L.L.P.
P.O. Box 1151
Raleigh, NC 27602
Phone: (919) 821-4711
Fax: (919) 829-1583
hallen@tharringtonsmith.com
N.C. State Bar No. 18884
Counsel for Defendant